

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.) No. 3:15-CR-00051
) Judge Reeves
 RAY M. MUBARAK,)
)
 Defendant.)

MEMORANDUM AND ORDER

This matter is before the court on the defendant's *pro se* motion for a recommendation that 12 months of his sentence be served at a community corrections center (halfway house) [R. 97]. Defendant states that the court may grant his request pursuant to the Second Chance Act, 18 U.S.C. § 3621(b)(4)(B).

Defendant was sentenced to 57 months imprisonment, followed by three years of supervised release, for bank fraud. Defendant's projected release date is December 23, 2019.

The Second Chance Act of 2007 increases the possible duration of pre-release placement in a community corrections center from six months to twelve months and requires the Bureau of Prisons to make an individual determination that ensures any placement is of sufficient duration to provide the inmate with the greatest likelihood of successful reintegration into the community. *See* 18 U.S.C. § 3624.

The court finds defendant's motion well taken. Accordingly, for the good cause stated, the motion is **GRANTED**, and the court **RECOMMENDS** that defendant be allowed to spend twelve months of his sentence at a community corrections center. This is a recommendation only, as the Bureau of Prisons retains discretion under the Second Chance Act to decide whether and when the defendant should be placed in community confinement. *See Lovett v. Hogsten*, 2009 WL 5851205 (6th Cir. Dec. 29, 2009).

IT IS SO ORDERED.



—
UNITED STATES DISTRICT JUDGE